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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDERY HERRERA, ON BEHALF OF HIMSELF  
AND ALL OTHER PERSONS SIMILARLY  
SITUATED,

Plaintiffs,

-against-

BABOLAT VS NORTH AMERICA, INC.,

Defendants.

24-cv-06119 (MKV)

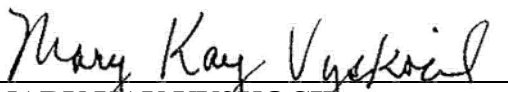
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court has been informed by the parties that they have reached a settlement in principle. [ECF No. 11]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by January 6, 2025. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

**SO ORDERED.**

**Date: December 5, 2024**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**